



COUNCIL CHAMBERS

17555 PEAK AVENUE MORGAN HILL CALIFORNIA 95037

COUNCIL MEMBERS

Steve Tate, Mayor
Larry Carr, Mayor Pro Tempore
Mark Grzan, Council Member
Marby Lee, Council Member
Greg Sellers, Council Member

REDEVELOPMENT AGENCY

Steve Tate, Chair
Larry Carr, Vice-Chair
Mark Grzan, Agency Member
Marby Lee, Agency Member
Greg Sellers, Agency Member

REMOTE LOCATION PARTICIPANT

Steve Tate, Mayor/Chair
6825 E. 4th Street
Scottsdale, AZ 85251
(Closed Sessions Only)

WEDNESDAY, MARCH 7, 2007

AGENDA

JOINT MEETING

CITY COUNCIL REGULAR MEETING

and

REDEVELOPMENT AGENCY REGULAR MEETING

7:00 P.M.

CALL TO ORDER

(Mayor Pro Tempore/Vice-Chair Carr)

ROLL CALL ATTENDANCE

(City Clerk/Agency Secretary Torrez)

DECLARATION OF POSTING OF AGENDA

Per Government Code 54954.2

(City Clerk/Agency Secretary Torrez)

SILENT INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

RECOGNITIONS

CITY COUNCIL REPORTS

Council Member Grzan

CITY COUNCIL COMMITTEE REPORTS

CITY MANAGER'S REPORT

CITY ATTORNEY'S REPORT

OTHER REPORTS

PUBLIC COMMENT

NOW IS THE TIME FOR COMMENTS FROM THE PUBLIC REGARDING ITEMS NOT ON THIS AGENDA.

(See notice attached to the end of this agenda.)

**PUBLIC COMMENTS ON ITEMS APPEARING ON THIS AGENDA WILL BE TAKEN AT THE TIME
THE ITEM IS ADDRESSED BY THE COUNCIL. PLEASE COMPLETE A SPEAKER CARD AND
PRESENT IT TO THE CITY CLERK.**

(See notice attached to the end of this agenda.)

**PLEASE SUBMIT WRITTEN CORRESPONDENCE TO THE CITY CLERK/AGENCY SECRETARY. THE
CITY CLERK/AGENCY SECRETARY WILL FORWARD CORRESPONDENCE TO THE CITY
COUNCIL/REDEVELOPMENT AGENCY.**

City Council and Redevelopment Agency Action

ADOPTION OF AGENDA

City Council Action

CONSENT CALENDAR:

ITEMS 1-5

The Consent Calendar may be acted upon with one motion, a second and the vote, by each respective Agency. The Consent Calendar items are of a routine or generally uncontested nature and may be acted upon with one motion. Pursuant to Section 5.1 of the City Council Rules of Conduct, any member of the Council or public may request to have an item pulled from the Consent Calendar to be acted upon individually.

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
1.	<u>ACCEPT GRANT FUNDS FOR THE COYOTE CREEK TRAIL CONNECTION PROJECT</u>.....	1
	<u>Recommended Action(s):</u>	
1.	<u>Appropriate</u> Grant Funds of \$73,000 from the Current Year Un-Appropriated Street Fund Balance (202), from the Bay Area Air Quality Management District, by directing that they be Deposited to Offset the Costs of CIP Project #536004; and	
2.	<u>Appropriate</u> an Additional \$7,000 from the Current Year Un-Appropriated Park Impact Fund Balance (301) to Complete the Coyote Creek Trail Connection Project.	
2.	<u>ADDITIONAL APPROPRIATION REQUEST AND EXTENSION OF PROFESSIONAL SERVICES CONTRACT FOR PREPARATION OF THE “TRAILS AND NATURAL RESOURCES STUDY”</u>	7
	<u>Recommended Action(s):</u>	
1.	<u>Approve</u> Additional Scope of Work from Royston Hanamoto Alley & Abey in the Amount of \$7,800 and <u>Authorize</u> City Manager to Execute an Amendment to the Existing Professional Services Agreement for Preparation of a Trails and Natural Resources Study, Subject to Review and Approval by the City Attorney;	
2.	<u>Approve</u> Extension of Professional Services Agreement Term, Subject to Review and Approval by the City Attorney; and	
3.	<u>Appropriate</u> \$48,000 from the Un-Appropriated Park Impact Fund (301) to Cover the Costs Associated with the Trails and Natural Resources Study, Which Includes Additional Funds for the Professional Services Contract and CIP Administration.	
3.	<u>REQUEST FOR ADDITIONAL FUNDING FOR PHASE I OF NEW TRUNK SEWER LINE</u>.....	11
	<u>Recommended Action(s):</u> <u>Appropriate</u> an Additional \$2,000,000 from Current Year Un-Appropriated Sewer Impact Fund (641) for Project Construction.	
4.	<u>COUNCIL RESOLUTIONS SUPPORTING GRANT FUNDING FOR THE EXTENSION OF LLAGAS CREEK TRAIL</u>.....	15
	<u>Recommended Action(s):</u> <u>Adopt</u> Resolutions Supporting the Applications for Grant Funds for the Extension of Llagas Creek Trail, Between La Crosse Drive and Watsonville Road.	
5.	<u>APPROVE SPECIAL CITY COUNCIL MEETING MINUTES OF FEBRUARY 21, 2007</u>.....	25

City Council and Redevelopment Agency Action

CONSENT CALENDAR:

ITEM 6

	Time Estimate	Page
	Consent Calendar: 1 - 10 Minutes	
6.	<u>APPROVE JOINT SPECIAL AND REGULAR CITY COUNCIL AND REGULAR REDEVELOPMENT AGENCY MEETING MINUTES OF FEBRUARY 21, 2007</u>.....	27

Redevelopment Agency and City Council Action

OTHER BUSINESS:

	Time Estimate		Page
7.	10 Minutes	<u>AMENDMENT TO AGREEMENT WITH THE MORGAN HILL DOWNTOWN ASSOCIATION (MHDA)</u>	43
		<u>Recommended Action(s):</u>	
		<u>Redevelopment Agency Action:</u>	
		<u>Authorize</u> Executive Director to do Everything Necessary and Appropriate to Amend the Agreement with MHDA to Extend the Deadline to April 30, 2007 for the MHDA to Form a Property Based Improvement District (PBID) Board and Prepare the PBID Scope of Work for Agency Approval; Subject to Review and Approval by the Agency Counsel.	
		<u>City Council Action:</u>	
		<u>Appoint</u> a Representative and Alternate to the Permanent Board of Directors for the New Morgan Hill Downtown Property Based Improvement District.	

City Council Action

OTHER BUSINESS:

	Time Estimate		Page
8.	10 Minutes	<u>FORMATION OF ACCESSIBILITY COMMITTEE</u>	47
		<u>Recommended Action(s):</u>	
		1. <u>Accept</u> Senior Advisory Letter Dated February 6, 2007; and	
		2. <u>Refer</u> the Recommendation for the Formation of an Accessibility Committee to the City Manager for Review and Recommendation to be Presented to the City Council at a Future Meeting Date.	

City Council Action

CLOSED SESSION:

1.

CONFERENCE WITH LABOR NEGOTIATOR:

Authority: Government Code Section 54957.6
Agency Negotiators: City Manager; Human Resources Director
Employee Organizations: Morgan Hill Police Officers Association

2.

CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION

Authority: Government Code Section 54956.9(a)
Case Name: Arcadia Development Company v. City of Morgan Hill
Case Number: County of Santa Clara No. 1-04-CV-020598.
Attendees: City Manager; City Attorney; Special Counsel

City of Morgan Hill
Regular City Council and
Regular Redevelopment Agency Meeting
March 7, 2007
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OPPORTUNITY FOR PUBLIC COMMENT

ADJOURN TO CLOSED SESSION

RECONVENE

CLOSED SESSION ANNOUNCEMENT

FUTURE COUNCIL AGENCY-INITIATED AGENDA ITEMS:

Note: in accordance with Government Code Section 54954.2(a), there shall be no discussion, debate and/or action taken on any request other than providing direction to staff to place the matter of business on a future agenda.

ADJOURNMENT

PUBLIC COMMENTS ON ITEMS *NOT* APPEARING ON AGENDA

Following the opening of Council/Agency business, the public may present comments on items *NOT* appearing on the agenda that are within the Council's/Agency's jurisdiction. Should your comments require Council/Agency action, your request will be placed on the next appropriate agenda. No Council/Agency discussion or action may be taken until your item appears on a future agenda. You may contact the City Clerk/Agency Secretary for specific time and dates. This procedure is in compliance with the California Public Meeting Law (Brown Act) G.C. 54950.5. Please limit your presentation to three (3) minutes.

PUBLIC COMMENTS ON ITEMS APPEARING ON AGENDA

The Morgan Hill City Council/Redevelopment Agency welcomes comments from all individuals on any agenda item being considered by the City Council/Redevelopment Agency. Please complete a Speaker Card and present it to the City Clerk/Agency Secretary. This will assist the Council/Agency Members in hearing your comments at the appropriate time. Speaker cards are available on the table in the foyer of the Council Chambers. In accordance with Government Code 54953.3 it is not a requirement to fill out a speaker card in order to speak to the Council/Agency. However, it is very helpful to the Council/Agency if speaker cards are submitted. As your name is called by the Mayor/Chairman, please walk to the podium and speak directly into the microphone. Clearly state your name and address and then proceed to comment on the agenda item. In the interest of brevity and timeliness and to ensure the participation of all those desiring an opportunity to speak, comments presented to the City Council/Agency Commission are limited to three minutes. We appreciate your cooperation.

NOTICE

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Morgan Hill complies with the Americans with Disability Act (ADA) and will provide reasonable accommodation to individuals with disabilities to ensure equal access to all facilities, programs and services offered by the City. If you need special assistance to access the meeting room or to otherwise participate at this meeting, including auxiliary aids or services, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation. Please make your request at least 48 hours prior to the meeting to enable staff to implement reasonable arrangements to assure accessibility to the meeting.

If assistance is needed regarding any item appearing on the City Council/Agency Commission agenda, please contact the Office of the City Clerk/Agency Secretary at City Hall, 17555 Peak Avenue or call 779-7259 or (Hearing Impaired only - TDD 776-7381) to request accommodation.

NOTICE

Notice is given, pursuant to Government Code Section 65009, that any challenge of Public Hearing Agenda items in court, may be limited to raising only those issues raised by you or on your behalf at the Public Hearing described in this notice, or in written correspondence delivered to the City Council/Agency Commission at, or prior to the Public Hearing on these matters.

NOTICE

The time within which judicial review must be sought of the action by the City Council/Agency Commission which acted upon any matter appearing on this agenda is governed by the provisions of Section 1094.6 of the California Code of Civil Procedure.